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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,158	10/31/2003	Kazuki Emori	SHO-0032	9103
23353 7590 12/13/2007 RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036			EXAMINER HARPER, TRAMAR YONG	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 12/13/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/697,158	Applicant(s) EMORI ET AL.	
	Examiner Tramar Harper	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/10/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Examiner acknowledges receipt of amendment/arguments filed 9/24/07. The arguments set forth are addressed herein below. Claims 1-8 are pending, Claim 5 has been amended, & Claim 6-8 are newly added.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, & 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Okada (US 5,441,447).

Claims 1, 3, & 6: Okada discloses a gaming machine that comprises of a front panel attached to a main body with an opening formed or outlet (15) for the release of medals/coins. Okada discloses a medal storage unit (14) attached to the front panel and configured to store medals/coins provided from outlet (15). There is also, a guide member or chute provided or attached to the main body, configured to guide the medals to the guide member opening (Fig. 3, Col. 4:48-57). Furthermore, there is a projection disposed in the vicinity of the opening and is projected from an inner face of the guide member e.g. the guide member slants and then becomes horizontal (projection part) at the opening (Fig. 4). The projection extends in the width direction of the guide member (Fig. 4, Abstract, & Col. 3:55-Col. 4:3).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okada (US 5,441,447) in view of Casanova et al (US 2002/0130011).

Claim 2: Okada discloses a gaming machine that comprises of a front panel attached to a main body with an opening formed or outlet (15) for the release of medals/coins. Okada discloses a medal storage unit (14) attached to the front panel and configured to store medals/coins provided from outlet (15). There is also, a guide member or chute provided or attached to the main body; configured to guide the medals to the opening (Fig. 3, Col. 4:48-57). Furthermore, there is a projection disposed in the vicinity of the opening and is projected from an inner face of the guide member e.g. the guide member slants and then becomes horizontal (projection part) (Fig. 4). The projection extends in the width direction of the guide member (Fig. 4, Abstract, & Col. 3:55-Col. 4:3).

However, Okada excludes a cover member configured to cover the guide member. Casanova et al. discloses a coin-processing machine that comprises of a guide member with a cover material disposed therein. The laminated material is located in the coin chute for purposes of reducing the noise that occurs as the coins impact the wall of the coin chute. The laminated material or metal further provides more rigidity

and will deform less under the impact of coins (Figs. 10a-11, ¶ 65-66, 72). Therefore, it would have been obvious to one of ordinary skill at the time of the invention to modify the guide member of Okada with the cover of Casanova for purposes of providing a laminated material/cover that will reduce the noise caused by coin impact and reduce the wear and tear due to impact (¶ 65-66, 72).

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okada (US 5,441,447) in view of Davies (US 4,326,621).

Claim 4: Okada discloses the limitations with respect to claim 1, but fails to disclose the chute or guide member made of a resin material. Davies discloses a coin detecting apparatus, wherein the chute is made of an electrically insulated material such as synthetic or plastic material (resin material) (Col. 5:40-45, Col. 9:20-28). It would have been obvious to one of ordinary skill at the time of the invention was made to modify the chute of Okada such that it is made of a resin material such as plastic, as taught by Davies for purposes of providing a electrically insulated chute. Such a modification would prevent electrically components within near or attached to the chute for short-circuiting. Furthermore, it is well known in the art for an artisan to make chutes out of a resin material because they are readily fabricated, relatively inexpensive, and is lightweight.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Itsuji (JP 2001-054614 A).

Claims 5: Itsuji discloses a gaming machine that comprises of a front panel attached to a main body with an opening formed or outlet (15) for the release of medals/coins.

Okada discloses a medal storage unit (14) attached to the front panel and configured to store medals/coins provided from outlet (15). There is also, a guide member or chute provided or attached to the main body, configured to guide the medals to the opening (¶¶ 13-17, Figs. 1-5). Furthermore, there is a projection disposed in the vicinity of the opening and is projected from an inner face of the guide member e.g. the guide member slants defining a plane that extends through the opening and into the medal storage (Fig. 5).

However, Itsuji excludes a lower face of the opening positioned below the slanted plane of the guide member. However, applicant has not disclosed that having the lower face of the opening positioned below the slanted plane of the guide member provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected the slanted guide member of Itsuji and applicant's invention, to perform equally well without the lower face of the opening below the slanted plane of the guide member, as taught by Itsuji, or the applicants claimed lower face of the opening positioned below the slanted plane of the guide member because both provide the same function of providing a means of guiding coins and somewhat projecting coins into the medal storage unit.

Therefore, it would have been prima facie obvious to modify Itsuji to obtain the invention as specified above because such a modification would have been considered a mere design consideration which fails to patentably distinguish over the prior art of Itsuji.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okada (US 5,441,447).

Claims 8: Okada discloses a gaming machine that comprises of a front panel attached to a main body with an opening formed or outlet (15) for the release of medals/coins.

Okada discloses a medal storage unit (14) attached to the front panel and configured to store medals/coins provided from outlet (15). There is also, a guide member or chute provided or attached to the main body, configured to guide the medals to the guide member opening (Fig. 3, Col. 4:48-57). Furthermore, there is a projection disposed in the vicinity of the opening and is projected from an inner face of the guide member e.g. the guide member slants and then becomes horizontal (projection part) at the opening (Fig. 4). The projection extends in the width direction of the guide member (Fig. 4, Abstract, & Col. 3:55-Col. 4:3).

Okada discloses the above with respect to Claims 1 & 6-7, but excludes the front panel including a horizontal bottom front panel edge portion defining a bottom of the opening, the horizontal bottom guide member portion being disposed above the horizontal bottom front panel edge portion. However, applicant has not disclosed that having the front panel include a horizontal bottom front panel edge portion defining a bottom of the opening, the horizontal bottom guide member portion being disposed above the horizontal bottom front panel edge portion provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected the front panel edge opening and guide member portion of Okada and applicant's invention, to perform equally well without the front

panel including a horizontal bottom front panel edge portion defining a bottom of the opening, the horizontal bottom guide member portion being disposed above the horizontal bottom front panel edge portion, as taught by Okada, or the applicants claimed 8 because both provide the same function of providing a means of guiding coins and somewhat projecting coins into the medal storage unit.

Therefore, it would have been prima facie obvious to modify Okada to obtain the invention as specified above because such a modification would have been considered a mere design consideration which fails to patentably distinguish over the prior art of Okada.

Response to Arguments

Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kinoshita (US 4059122) discloses a slanted coin guide member that has an opening with a lower front panel edge.

Martin (US 5988348) discloses coin guide member that prevent facial coin contact with the coin apparatus parts.

Hiroyuki (JP 2002-143387), Katsumi (JP 2002-177446), & Sadao (JP 2001-321484) all teach similarly structured guide member structure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tramar Harper whose telephone number is (571) 272-6177. The examiner can normally be reached on 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Ronald Laneau
Primary Patent Examiner
Art Unit 3714

TH

12/10/07